

ENTERED

December 07, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

FRED HOFFMAN, III,	§
	§
Plaintiff,	§
VS.	§ CIVIL NO. 2:18-CV-333
JAVIER MURO, <i>et al</i> ,	§
	§
Defendants.	§

ORDER

The Court is in receipt of Plaintiff Fred Hoffman, III’s (“Hoffman”) motions for a temporary restraining order and/or for preliminary injunction, Dkt. Nos. 91 and 102; Defendant Jeffrey Richardson’s (“Richardson”) Motion for Summary Judgment, Dkt. No. 93; Plaintiff’s identical motions to replace Richardson with Texas Department of Criminal Justice (“TDCJ”) Director Lori Davis, Dkt. Nos. 113 and 120; and the Magistrate Judge’s Memorandum and Recommendation (“M&R”), Dkt. No. 134. The deadline to file objections has passed, and no objections have been filed.¹

After independently reviewing the record and applicable law, the Court **ADOPTS** the M&R, Dkt. No. 134. The Court therefore:

- **DENIES** Plaintiff’s motions for a TRO and/or preliminary injunction, Dkt. Nos. 91 and 102;
- **DENIES** Plaintiff’s motions to replace Richardson with TDCJ Director Lori Davis, Dkt. Nos. 113 and 120;
- **DENIES** Plaintiff’s motion to amend, construed as embedded within his response to the motion for summary judgment, Dkt. No. 121; and

¹ Plaintiff has requested and has been granted three extensions to respond to the M&R. Dkt. Nos. 141, 142, 143, 144, 150 and 151. Plaintiff’s final deadline to respond to the M&R was November 10, 2021. Dkt. No. 151. On November 15, 2021, Plaintiff filed a document titled “Supplemental Exhibit FF” in which Plaintiff complained of mail irregularities. Dkt. No. 156. To the extent that the November 15, 2021 document can be construed as a response and/or objections to the M&R, it fails to address the arguments in the M&R.

- **GRANTS** Richardson's Motion for Summary Judgment, Dkt. No. 93.
Plaintiff's retaliation claims against Richardson for injunctive relief are
DISMISSED AS MOOT.

SIGNED this 6th day of December 2021.



Hilda Tagle
Senior United States District Judge